

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

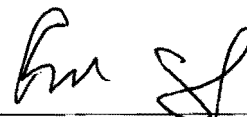
Simon Allen, Jr.,)	
)	
Plaintiff,)	Civil Action No.: 6:15-cv-5108-RMG
)	
v.)	
)	ORDER
Captain Downey, Lt. Lark, and Lt. Butler,)	
)	
Defendants.)	
)	

This matter comes before the Court on the Report & Recommendation (R & R) of the Magistrate Judge recommending that Plaintiff's amended complaint be summarily dismissed with prejudice and without service of process. (Dkt. No. 26). On April 20, 2016, Plaintiff filed an amended complaint against Defendants, who are all employees of the Greenwood County Detention Center. (Dkt. No. 23). The amended complaint alleges that Defendants denied Plaintiff access to courts because the mail that he sent from the Greenwood County Detention Center was not received by others, specifically the Bureau of Prisons. (*Id.*).

Where a Magistrate Judge has submitted to a District Court a R & R, any party may file written objections within 14 days of the issuance of the R & R. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2). A District Court must "make a *de novo* determination of those portions of the report . . . or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). Where no timely filed objection has been made, the District Court is obligated to review the R & R to confirm that "there is no clear error on the face of the record in order to accept the recommendation." *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

The Court has reviewed the record in this matter, the R & R of the Magistrate Judge, and the applicable law. The Court finds that the Magistrate Judge has ably and thoroughly addressed the factual and legal issues in this matter. Accordingly, the Court hereby **ADOPTS** the R & R as the order of the Court and summarily dismisses the case with prejudice and without service of process.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Court Judge

June 14, 2016
Charleston, South Carolina